

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

McDERMOTT & RADZIK, LLP,

Plaintiff,

- against -

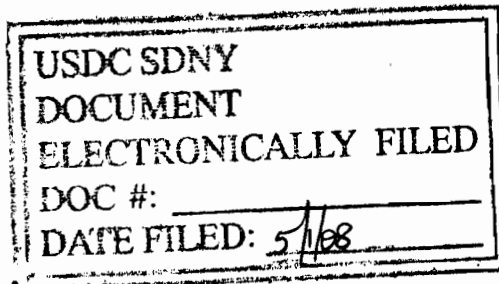
GRACE AHRENS, WILLIAM H.
MARTOCCIA, INC. and WHM, INC.,

Defendants.

ECF Case

07 Civ. 8220 (SHS)

STIPULATION AND ORDER
OF VOLUNTARY DISMISSAL



IT IS HEREBY STIPULATED, CONSENTED AND AGREED by and between the undersigned attorneys for the respective parties herein, that the above-entitled action be, and the same hereby is, voluntarily dismissed, pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, with prejudice, without costs, and subject to the right, upon application made within thirty (30) days of the entry of this Order, to reopen the action if the settlement is not fully consummated.

The May 5 conference is cancelled.

Dated: New York, New York
April 30, 2008

McDERMOTT & RADZIK, LLP
Attorneys for Plaintiff

By:

[Signature]
Daniel G. McDermott (DM-3449)
Wall Street Plaza
88 Pine Street - 21st Floor
New York, New York 10005-1801
(212) 376-6400

ARONWALD & PYKETT
Attorneys for Defendants

By:

[Signature]
William I. Aronwald (WA-9327)
81 Main Street - Suite 450
White Plains, New York 10601
(914) 946-6565

SO ORDERED: 5/1/08

[Signature]
Honorable Sidney H. Stein
United States District Judge